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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,576	01/09/2002	Thomas M. Lill	65899-0650	6586

10291 7590 07/01/2004

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EXAMINER

PHAM, LAM P

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 07/01/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,576

Applicant(s)

LILL, THOMAS M.

Examiner

Lam P Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 30-35 is/are allowed.
- 6) ☒ Claim(s) 23 and 26-29 is/are rejected.
- 7) ☒ Claim(s) 24 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 23, 26-27 rejected under 35 U.S.C. 102(b) as being anticipated by **Vernon** (US 4,695,823).

Regarding claim 23, **Vernon** discloses a tire monitoring system for a vehicle comprising:

a means (data receiver/decoder 12) for receiving from circuit (10) and transmitting to a display (14) a pressure data signal relating to a vehicle tire; wherein said receiving and transmitting means is adapted to determine whether a received pressure data signal was derived from an associated vehicle tire by decoding the transmitted pressure data signal, which is encoded with a measured pressure data together with a location code which indicates the location of the receiving and transmitting means (10) on a vehicle, and from the decoded location information, a determination whether a received pressure data is associated with a vehicle tire is made, as seen in figures 1-3; col. 2, lines 10-31.

Regarding claim 26, **Vernon** discloses the data receiver/decoder (12) receiving pressure data signal from circuit (10) and transmitting a decoded signal to a vehicle display. Thus, it is inherently a transponder.

Regarding claim 27, **Vernon** discloses said receiving and transmitting means is adapted to selectively transmit said pressure data signal to vehicle display if said pressure data was derived from an associated vehicle tire, which the pressure data signal is encoded with a valid location code associated with a vehicle tire location, otherwise it will not transmit a pressure data signal if the location code is not a valid code as seen col. 2, lines 23-31.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 28 and 29 rejected under 35 U.S.C. 103(a) as being unpatentable over Vernon.

Regarding claims 28-29, **Vernon** fail to disclose expressly a controller for receiving said transmitted pressure data from said receiving and transmitting means (12) and adapted to provide information to a vehicle operator based upon said pressure data. Since the data receiver/decoder (12) decodes the encoded data receiving from circuit (10) and drives a display (14) at the instrumental panel

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of a vehicle to indicate an under-inflated condition of a particular tire of the vehicle, it would have been obvious to one of ordinary skill in the art to realize that a controller means is incorporated within the data receiver/decoder for driving the display to provide information to a vehicle operator as seen in col. 2, lines 23-31.

Allowable Subject Matter

5. Claims 30-35 allowed.

Claims 24-25 objected to as being dependent upon a rejected base claim 23, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. In the remark filed on April 8, the applicant argues that Vernon fail to disclose or suggest a system that is adapted to "determine whether the pressure data was derived from an associated vehicle tire" as in claim 23.

7. In reply to the argument, the examiner has addressed this point in the rejection above.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Oldenettel et al. (US 6,435,020) disclose a method for allocating a control device.

Mock et al. (US 5,602,524) disclose a device for monitoring an air-pressure.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lam P Pham whose telephone number is 703-306-4181. The examiner can normally be reached on 8AM-6PM.

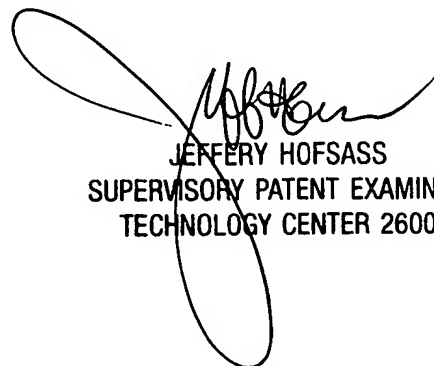
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A Hofsass can be reached on 703-305-4717. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lam Pham
June 23, 2004



JEFFERY HOFSAAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600